

Notice of Allowability

Application No.

10/519,456

Examiner

Justin K. Holmes

Applicant(s)

KAYAMA ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/12/07.
2. ☒ The allowed claim(s) is/are 20-34 and 37-40.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 2/12/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George A. Loud, Esq. on March 9, 2007 at 2:05 pm EST.

The application has been amended as follows:

In the claims:

In claim 40, line 10, the words "a first clutch;" have been deleted;

In claim 40, line 11, the words "a second clutch;" have been deleted;

In claim 40, line 15, the first instance of the words "which meshes" has been deleted;

In claim 40, line 17, the word "third" has been replaced by the word --second--;

In claim 40, after line 24, after with the word "pinion;" the following language has been added

--a first clutch for connecting and disconnecting said input shaft to and from said second sun gear;

a second clutch for connecting and disconnecting said input shaft to and from said carrier;--.

The amendments to claim 40 were made to correct typographical errors and to clarify language in the claim.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on February 12, 2007 has been considered by the examiner.

Drawings

3. The objection to the drawings as set forth in the Office Action dated September 28, 2006 is withdrawn in view of the Amendment filed on December 22, 2006.

Claim Rejections - 35 USC § 112

4. The rejection of claim 32 under 35 USC 112, second paragraph as set forth in the Office Action dated September 28, 2006 is withdrawn in view of the Amendment to claim 32 as set forth in the Amendment filed on December 22, 2006.

Allowable Subject Matter

5. Claims 20-34 and 37-40 are allowed.
6. The following is an examiner's statement of reasons for allowance: the prior art of record does not render obvious an automatic transmission for a vehicle having a decelerating first planetary gear unit, a second planetary gear unit, provides at least five forward speeds and one reverse speed, and the first and second clutch are engaged together in fourth forward speed, the first planetary gear unit and the engaging means or third clutch are located on one axial side of the second planetary gear unit, the first clutch and second clutch are located on a side of the second planetary gear unit axially opposite the one side; and the output member is disposed between the second planetary gear unit and the first planetary gear unit and the engaging means or third clutch and the remaining structure of claims 20 and 38-40.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin K. Holmes whose telephone number is (571) 272-5930. The examiner can normally be reached on 8:00am to 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKH
3/9/07

Charles A. Marmor 3/12/07
CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINER
3681